

NOTES:

Area of Dedication: 0.446 ac. "PARCEL A"
Gross Area - 8.0 ac.
No. of Lots - 2
Existing Zoning - RC3
Nearest Water Supply - Liberty, 4.5 miles
Tax Map: 27 Block 14 Parcel 27

Curb Stop of
Conc. on R.R. Tr.

PARKING SPACE DETAIL
No Scale

N/F
H. Robert Cohen
OT 64718-406
May 29, 1967
RC-3

- 1) Compliance with the subdivision regulations applicable to the subdivision of the property shown on Petitioner's Exhibit 1.
- 2) Compliance with the requirements of the Baltimore County Department of Health regarding the licensing of day camps and day care centers and the requirements of the State Board of Education regarding approval of a day care center as a school facility, if required.
- 3) Compliance with the comments submitted by the Department of Health, dated January 15, 1981, the Department of Traffic Engineering, dated December 4, 1980, and the Zoning Plans Advisory Committee, regarding the removal of the abandoned and disused school bus, dated January 8, 1981.
- 4) Approval of the aforementioned site plan by the Department of Public Works, the Department of Traffic Engineering, and the Office of Planning and Zoning, including landowner and neighbor approval by the applicant and by the adjacent property owner.

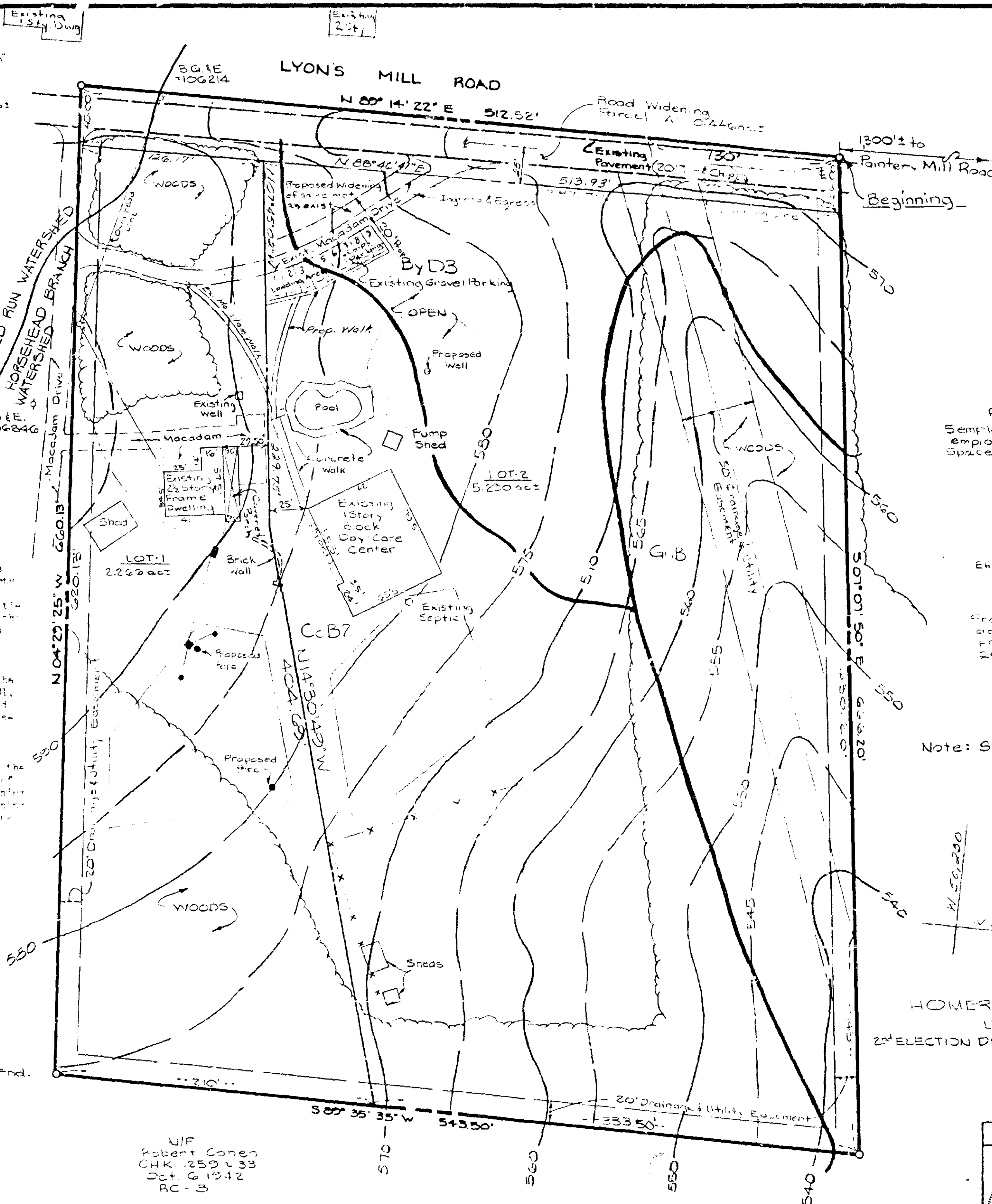
Owner/Developer
Homer Turner
9309 Lyons Mill Road
Owings Mills, MD. 21117

TITLE REFERENCE
Richard T. Jones & his Wife
to
Homer E. Turner & his Wife
C.H.K. 1259-33
Oct 6, 1942

R.T.F. INC.
LAND SURVEYORS
142 EAST MAIN STREET
WESTMINSTER, MD. 21157
876-1222 848-2040

Tax Map 27 Parcel 27

Robert T. Fishbaugh
Registered Land Surveyor No 6034



PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *John E. Fisher*
DATE: 4-29-82
BY: *James E. Fisher*
ZONING COMMISSIONER
DATE: 4/29/82
81-129
C-457-82

NOTE: Contours taken from Baltimore County
Photogrammetric map N.W. 9-I.
McDonogh and vicinity

Parking Requirements:
Employees @ 1 space per every 2
employees - 2 1/2 needed
Spaces provided - 9 spaces

N/F
Laura J. Melady
E.H.K. 5438-230
April 8, 1974
C-3

Proposed McDonogh Expressway
does not appear to affect this
property (approximately 50' to
200' South of our Property line.)

Note: See Special Exception Case # 81-29-X

Ken Huff
4202 Antique Lane
Glenn, Md. 21057

457-82

PLAN
HOMER E. TURNER PROPERTY
LYONS MILL ROAD
2ND ELECTION DISTRICT BALTIMORE COUNTY, MD.

R.T.F. Inc. Professional Land Surveyor 142 East Main Street Westminster, Md. 21157	
Revised - 4/16/82 Revised - 12/12/80 Revised - 10/1/80 Revised - 9/11/80 1/13/81	DATE: Jul. 23, 1980 SCALE: 1" = 50' DRAWN BY: J. Erb JOB NO: 80-88

81-129-7 92 PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a day camp and/or community buildings, swimming pools, or other uses devoted to a civic, social, recreational, or educational activity.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
Stillway Associates, Inc.
(Type or Print Name)

By: Roland H. Brunnwatt, President
Signature

4 Stillway Court
Address

Cockeysville, Md. 21030
City and State

Attorney for Petitioner:
John B. Howard
(Type or Print Name)

Signature

210 Allegheny Avenue
Address

Towson, Maryland 21204
City and State

Attorney's Telephone No.:
823-4111
Telephone No.

Legal Owner(s):
Homer E. Turner
(Type or Print Name)

Signature

Frances E. Turner
(Type or Print Name)

Signature

9309 Lyons Mill Road
Address

Owings Mills, Maryland 21117
City and State

Name and telephone number of legal owner, contract purchaser or representative to be contacted

John B. Howard
Name

823-4111
Telephone No.

ORDERED BY The Zoning Commissioner of Baltimore County, this 12th day of November, 1980, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 20th day of January, 1981, at 9:45 o'clock A.M.

William E. Hoffman
Zoning Commissioner of Baltimore County

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 13th day of May, 1981, that the Petition for Special Exception for the use of the subject property as a day camp and school (day care center), in accordance with the site plan prepared by R.T.F., Inc., revised December 16, 1980, and marked Petitioners' Exhibit 1, should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Compliance with the subdivision regulations applicable to the subdivision of the property shown on Petitioners' Exhibit 1.
2. Compliance with the requirements of the Baltimore County Department of Health regarding the licensing of day camps and day care centers and the requirements of the State Board of Education regarding approval of a day care center as a school facility.
3. Compliance with the comments submitted by the Department of Health, dated January 15, 1981, the Department of Traffic Engineering, dated December 5, 1980, and the Zoning Plans Advisory Committee, regarding the removal of the abandoned and disabled school bus, dated January 8, 1981.
4. Approval of the aforementioned site plan by the Department of Public Works, the Department of Traffic Engineering, and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.

William E. Hoffman
Zoning Commissioner of Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
S/S of Lyons Mill Rd., 1300' W of
Painters Mill Rd., 2nd Election : ZONING COMMISSIONER
District : OF
Homer E. Turner, et ux - Petitioners : OF
NO. 81-129-X (Item No. 92) : BALTIMORE COUNTY

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 19th day of December, 1980, a copy of the foregoing Order was mailed to John B. Howard, Esquire, 210 Allegheny Avenue, Towson, Maryland 21204, Attorney for Petitioners; and Roland H. Brunnwatt, President, Stillway Associates, Inc., 4 Stillway Court, Cockeysville, Maryland 21030, Contract Purchaser.

John W. Hession, III
John W. Hession, III

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE
S/S of Lyons Mill Road, 1300' W of
Painters Mill Road - 2nd Election : ZONING COMMISSIONER
District : OF
Homer E. Turner, et ux - Petitioners : OF
NO. 81-129-X (Item No. 92) : BALTIMORE COUNTY

AMENDED ORDER

It is hereby ORDERED by the Zoning Commissioner of Baltimore County, this 3rd day of June, 1981, that the Order passed in this matter, dated May 13, 1981, should be and the same is hereby AMENDED, Nunc Pro Tunc, by inserting "if required" on Page 3, Restriction No. 2, Line 5, following the words "school facility".

William E. Hoffman
Zoning Commissioner of Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE
S/S of Lyons Mill Road, 1300' W of
Painters Mill Road - 2nd Election : ZONING COMMISSIONER
District : OF
Homer E. Turner, et ux - Petitioners : OF
NO. 81-129-X (Item No. 92) : BALTIMORE COUNTY

Pursuant to the advertisement, posting of property, and public hearing on the herein Petition for Special Exception, the petitioners are seeking to use a 5.290 acre parcel of their property for a day camp and/or community building, swimming pools, or other uses devoted to a civic, social, recreational, or educational activity. This parcel is improved with a one-story block building and a swimming pool. The balance of the petitioners' holding, containing 2.266 acres, is improved with their residence and an outbuilding. The subject property is located within a R.C.3 (Resource Conservation—deferral of planning and development) Zone.

Testimony offered in support of the petition was to the effect that the petitioners purchased the property in 1942 as their residence and began using the property in 1944 or 1945 as a day care center during the school year and a day camp during the summer. Although the petitioners have established their nonconformance, the contract purchasers, also petitioners herein, desire recognition of the uses through the special exception process. A neighbor supported the petitioners' testimony regarding the uses of the property during the past 27 years of her residency in the community.

A review of the Baltimore County Zoning Regulations clearly indicates that "camps, including day camps" (Section 1A02.2.B.5) are proper uses in an R.C.3 Zone by way of a special exception; however, a day care center is not the subject of a specific listing in the zoning regulations and so in this instance has been petitioned for as a use of a "recreational or educational activity" under Section 1A02.2.B.7. While recognizing the validity of this conclusion and the testimony, including the petitioners' testimony relative to the operational aspects of the day care center, it would appear clear that the use may also

be considered a "school" under Section 1A02.2.B.24. In this regard, the petitioners' Application for Maintaining a Day Nursery License (License No. 146) contains, in its printed form, the following:

"According to Public Statute (Law), the word School or Kindergarten cannot be used in the Title of a Day Nursery, except when approved by the State Board of Education as a School or Kindergarten."

This application was filed under and pursuant to the terms and provisions of the Baltimore County Code, 1978 Edition, Title 8, and the Annotated Code of Maryland, 1980 Replacement Volume, Article 43. The terms "day nursery" and "day care center" seem to be used synonymously, except where the State Board of Education approves day nursery applications because of staff qualifications and the operation of such facilities as kindergartens rather than "baby sitting" services. A review of the past history indicates the licenses issued to the petitioners prior to 1980 were approved by the State Board of Education prior to approval by the Baltimore County Department of Health and, therefore, were approved for a "school" or "kindergarten". The State Board of education did not approve the applications for 1979-80 and 1980-81 because of the extension of the hours—not because the petitioners did not comply with the standards required for a school. Therefore, "Schools not permitted as of right" (Section 1A02.2.B.24) would also be a viable descriptive alternative for the nonconforming day care center. The fact that it was not specifically set forth in the petition does not preclude consideration now being given to it in the same manner and to the same extent as if it had been specifically so phrased. This is particularly true in view of the length of time of use and the uses being appropriate in this location.

In view of the above and the petitioners having met the requirements of Section 502.1 of the zoning regulations, the proposed uses meeting the purpose legislatively expressed for the R.C.3 Zone, and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

- 2 -

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION - COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 8, 1981

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
600
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

Item No. 92
Petitioner - Homer E. Turner, et ux
Special Exception Petition

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your clients' proposal to subdivide the existing parcel of ground, which is improved with a dwelling and day care center, this Special Exception to legalize this latter use is required. As indicated in our telephone conversation, all play equipment that is now situated on the proposed lot #1 will be removed so that the entire day care center operation will be concentrated on the proposed lot #2.

At the time of field inspection, an abandoned and disabled school bus was situated on this property. This vehicle should be removed.

Revised site plans reflecting the comments of the Bureau of Engineering and Department of Traffic Engineering must be submitted prior to the scheduled hearing.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:bcc

Enclosures

cc: R.T.F. Inc.
112 East Main Street
Westminster, Md. 21157

ORDER RECEIVED FOR FILING

DATE May 13, 1981

BY John B. Howard

ORDER RECEIVED FOR FILING

DATE May 13, 1981

BY John B. Howard

ORDER RECEIVED FOR FILING

DATE June 3, 1981

BY John B. Howard



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

HARRY J. PISTEL, P.E.
DIRECTOR

December 5, 1980

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #92 (1980-1981)
Property Owner: Homer E. & Frances E. Turner
S/S Lyons Mill Road 1300' W. of Painters Mill Road
Acres: 5.623 Acres District: 2nd

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Subdivision of property within Baltimore County is subject to Baltimore County Subdivision Regulations.

Highways:

Lyons Mill Road, an existing public road, is proposed to be improved in the future as a 50-foot closed section roadway on a 70-foot right-of-way. Highway right-of-way widening, including any necessary revertible easements for slopes, will be required in connection with any grading or building permit application or further development of this property.

The future realignment of Lyons Mill-McDonogh Road is projected in the vicinity of the southern outline of this property; further information may be obtained from the Baltimore County Bureau of Engineering Highway Design and Approval Section.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Item #92 (1980-1981)
Property Owner: Homer E. & Frances E. Turner
Page 2
December 5, 1980

Storm Drains:

As indicated, this property is tributary to Gwynns Falls via Horsehead Branch.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage are not available to serve this property, which is utilizing private onsite facilities.

This property is beyond the Baltimore County Metropolitan District and the Urban-Rural Demarcation Line. Baltimore County Water and Sewerage Plans W and S-16A, as amended, respectively indicate this property in an area of "Existing Service" and Planned Service in 6 to 10 years.

Very truly yours,

Robert A. Morton
ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:ss

cc: J. Wimbley
J. Trenner
D. Grise

P-NW Key Sheet
35 & 36 NW 34 Pos. Sheets
NW 9 I Topo
67 Tax Map



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERDER
DIRECTOR

December 29, 1980

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #92, Zoning Advisory Committee Meeting, November 12, 1980, are as follows:

Property Owner: Homer E and Frances E. Turner
Location: S/S Lyons Mill Road 1300' W. of Painters Mill Road
Acres: 5.623 acres
District: 2nd

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The petitioner must comply with the Baltimore County Subdivision Regulations.

This office concurs with the Traffic Engineering Department's comments.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

December 5, 1980

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 92 - ZAC - November 12, 1980
Property Owner: Homer E. & Frances E. Turner
Location: S/S Lyons Mill Rd. 1300' W. of Painters Mill Rd.
Existing Zoning: RC-3
Proposed Zoning: Special Exception for a day camp/or community buildings, swimming pools, or other uses devoted to civic, social, recreational or educational activities.

Acres: 5.623
District: 2nd

Dear Mr. Hammond:

The requested Special Exception for a day care center is not expected to be a major traffic generator.

The driveway should be widened to 20 ft. and a safe off-street loading area should be provided for the children.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Engineering Associate II

MSF/hmd



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

December 16, 1980

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Homer E. & Frances E. Turner

Location: S/S Lyons Mill Road 1300' W. of Painters Mill Road

Item No.: 92 Zoning Agenda: Meeting of November 12, 1980

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle head end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: *George M. McCombs*
Noted and Approved: *George M. McCombs*
Planning Group Fire Prevention Bureau
Special Inspection Division

/mb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari Date: December 2, 1980
FROM: Charles E. (Ted) Burnham
Zoning Advisory Committee
SUBJECT: Meeting of November 12, 1980

ITEM NO. 91 Standard Comment
ITEM NO. 92 ✓ No Comment
ITEM NO. 93 No Comment

Charles E. Burnham
Charles E. Burnham
Plans Review Supervisor

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: November 10, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: November 12, 1980

RE: Item No: 91, 92, 93
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

80-88

October 6, 1980
Page 1 of 1

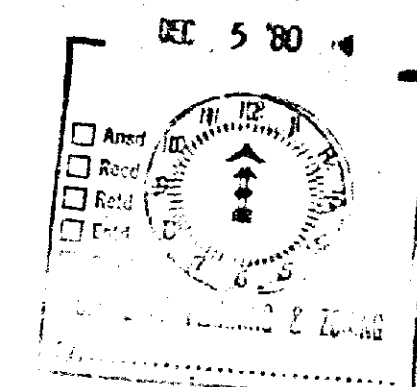
Description of a 5.623 Acre Parcel
Turner Property
for Happy Acres Childcare
9309 Lyons Mill Road

All that tract or parcel of ground situated on the South side of Lyons Mill Road in the Second Election District of Baltimore County, Maryland.

BEGINNING for the same at a point on the North side of Lyons Mill Road and distant in a westerly direction approximately 1300 feet from the intersection formed by Lyons Mill Road and Painter's Mill Road; thence crossing said Road South 07° 07' 50" East 666.20 feet to a point; thence South 89° 35' 35" West 333.50 feet to a point; thence with the two following lines of division now made 1) North 14° 30' 49" West 404.69 feet to a point; thence 2) North 07° 45' 02" West 264.94 feet to a point on the North side of Lyons Mill Road; thence North 89° 14' 22" East 388.52 feet to the place of beginning. Containing 5.623 acres of land more or less.

BEING a part of a tract of land conveyed unto Homer E. Turner and Francis E. Turner, his wife, by deed dated October 6, 1942 and recorded among the Land Records for Baltimore County in Liber C.H.K. 1259 Folio 33.

Robert F. Linsch
Registered Land Surveyor No. 6034



REVISED PLANS

PETITION FOR SPECIAL EXCEPTION
2nd District

ZONING: Petition for Special Exception
LOCATION: South side of Lyons Mill Road, 1300 feet West of Painters Mill Road
DATE & TIME: Tuesday, January 20, 1981 at 9:45 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for a day camp and/or community buildings, swimming pools, or other uses devoted to a civic, social, recreational or educational activity.

All that parcel of land in the Second District of Baltimore County

Being the property of Homer E. Turner, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Tuesday, January 20, 1981 at 9:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 26, 1980

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Md. 21204

RE: Item No. 92
Petitioner - Homer E. Turner
Special Exception Petition

Dear Mr. Howard:

Subsequent to our recent field inspection of the above referenced property, a meeting was held with members of this Committee in order to discuss this petition. At that time, it was verbally indicated that revised plans, reflecting comments from the following department(s), would be required.

- XX Department of Traffic Engineering (Mike Flannigan 494-3554)
- Office of Current Planning (John Wimbley 494-3335)
- State Highway Administration (John Meyers 383-4321)

In order to avoid any future delays in processing this petition, I urge you to personally contact the representative from the above department(s) and discuss the required revisions. When discussing this petition, it should be referred to by the above Item No. 92

Since it will save you approximately 3-4 weeks in the processing of your petition, this matter should be pursued immediately. If you require additional information or further explanation, please feel free to contact me at 494-3391.

Very truly yours,
Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/jil
cc: R.T.F. Inc.
112 East Main St.
Westminster, Md. 21157

May 13, 1981

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: Petition for Special Exception
S/S of Lyons Mill Road, 1300' W of
Painters Mill Road - 2nd Election
District
Homer E. Turner, et ux - Petitioners
NO. 81-129-X (Item No. 92)

Dear Mr. Howard:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/rl

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

June 3, 1981

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: Petition for Special Exception
S/S of Lyons Mill Road, 1300' W of
Painters Mill Road - 2nd Election
District
Homer E. Turner, et ux - Petitioners
NO. 81-129-X (Item No. 92)

Dear Mr. Howard:

I have this date passed my Amended Order in the above referenced matter in accordance with the attached.

Very truly yours,
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/rl

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

LAW OFFICES
COOK, HOWARD, DOWNES & TRACY
A PROFESSIONAL ASSOCIATION
210 ALLEGHENY AVENUE
P.O. BOX 5517
TOWSON, MARYLAND 21204

October 30, 1980

Re: Happy Acres School, Inc.

Dear Sir:

Enclosed please find three original Petitions for Special Exception, ten copies of the zoning plat, seven copies of the legal description and this firm's check in the amount of \$50.00 to cover the cost of filing this Petition.

If there are any questions, please do not hesitate to give me a call.

Very truly yours,

Frank A. Lafalce, Jr.
Frank A. Lafalce, Jr.

FAL:ecd
Enclosures
cc: Mr. and Mrs. Homer Turner
cc: Susan S. Miller, Esquire

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
Norman E. Gerber, Director
Office of Planning and Zoning
SUBJECT: Petition No. 81-129-X Item 92

Date: December 30, 1980

Petition for Special Exception
South side of Lyons Mill Road, 1300 feet West of Painters Mill Road
Petitioner- Homer E. Turner, et ux

Second District

HEARING: Tuesday, January 20, 1981 (9:45 A.M.)

The use would not be inappropriate here; if granted, it is suggested that landscaping be required as recommended by the Division of Current Planning and Development.

Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:ab

BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204
DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

January 15, 1981

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #92, Zoning Advisory Committee Meeting of November 12, 1980, are as follows:

Property Owner: Homer E. & Frances E. Turner
Location: S/S Lyons Mill Rd. 1300' W. of Painters Mill Rd.
Existing Zoning: RC-3
Proposed Zoning: Special Exception for a day camp/or community buildings, swimming pools, or other uses devoted to civic, social, recreational or educational activities.
Acres: 5.623 Acres
District: 2nd

The existing Day Care Center and dwelling are presently served by one drilled well and sewage disposal system, both of which appear to be functioning properly.

Prior to subdivision of the property which will place the Day Care Center on one lot and the dwelling on the remaining lot; both structures must be served by a water well and septic system located on the same lot as the building structure it serves. The proposed and existing wells and septic systems must meet all regulations set forth by the Baltimore County Department of Health prior to signing of the record plat by the Deputy State and County Health Officer.

Soil percolation tests have been conducted for the proposed sewage disposal system to serve the dwelling.

Article XI Section 13-119 (g) of the Baltimore County Code requires that any improved property may not be conveyed unless it has a water supply which meets the minimum well yield, bacteriological and chemical quality requirements as noted in Section 13-117.

Very truly yours,
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/mw

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PERMITS AND LICENSES
TOWSON, MARYLAND 21204

APPLICATION FOR MAINTAINING A DAY NURSERY LICENSE
FOR THE YEAR OF 1981-82

THE UNDERSIGNED hereby makes application for a NEW/RENEWAL LICENSE to operate a Day Nursery in accordance with Title 8 of the Baltimore County Code 1968 Edition:

*Trade Name: Happy Acres School
Operated by: Happy Acres School
Location of Nursery: 1300' W. of Painters Mill Rd. Towson, Md. 21204
Owner of Premises: Homer E. Turner, et ux
Enrollment Session I: All day, Ages 2 1/2 to 5; Hours 7:30 to 5:30
Session II: Part time, Ages 2 1/2 to 5; Hours 9 to 12
Total Enrollment: 12

A SKETCH OR BLUEPRINT OF BUILDING OR BUILDINGS AND PREMISES MUST BE SUBMITTED WITH APPLICATION FOR A NEW DAY NURSERY OR FOR AN INCREASE IN THE ENROLLMENT OF AN EXISTING DAY NURSERY.

*According to Public Statute (Law), the word School or Kindergarten cannot be used in the Title of a Day Nursery, except when approved by the State Board of Education as a School or Kindergarten. Day Care Centers administered and financed officially by a church are the one exception to this law. When approved by the Baltimore County Health Department this fulfills the Maryland State Department of Health Regulations Governing Eating and Drinking Establishments 43F03. MAKE CHECK OR MONEY ORDER PAYABLE TO "BALTIMORE COUNTY, MD."

Signature of Applicant: [Signature]
Address and Zip Code: 1300' W. of Painters Mill Rd. 21204

TO BE COMPLETED BY THE DEPARTMENT OF PERMITS & LICENSES
Application No. 146 Cash Slip No. 124252 Date 2-29-80
License No. 176 Fee \$ 12.00 Dept. of Permits and Licenses
Director


90 mpramam


RECEIVED
JUN 10 1962
BALTIMORE COUNTY
HEALTH DEPARTMENT

RECEIVED
BALTIMORE COUNTY
HEALTH DEPARTMENT

DJR/jt

WEH:sj


ZONING COMMISSIONER OF
BALTIMORE COUNTY



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 31 day of OCT., 1990.*

Filing Fee \$ 50 Received: ☒ Check
☐ Cash
☐ Other

#92

William E. Hammond
William E. Hammond, Zoning Commissioner

Petitioner TURNER Submitted by J. Howard

Petitioner's Attorney J. Howard Reviewed by MBL

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>MBL</u>										
Previous case: <u> </u>										
					Revised Plans: Change in outline or description <u> </u> Yes <u> </u> No					
					Map # <u> </u>					

2nd District
Zoning: Petition for Special Exception
Location: South side of Lyons Mill road, 1300 feet west of Painters Mill Road
Date & Time: Tuesday, January 20, 1981 at 8:45 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Special Exception for a day camp and/or community buildings, swimming pools, or other uses devoted to a civic, social, recreational or educational activity.

This is to Certify, That the annexed
Petition

was inserted in The Essex Times, a newspaper
printed and published in Baltimore County, once in
each of one successive
weeks before the 1st day of
Jan., 19 87.
John W. Miller Publisher.

DATE December 24, 1980 ACCOUNT NO. 01-662
AMOUNT \$50.00
RECEIVED FROM Cook, Howard, Downes & Tracy
FOR Filing Fee for Case No. 81-129-X
1
\$147.60 29 500.00
VALIDATION OR SIGNATURE OF CASHIER

DATE January 20, 1981 ACCOUNT 01-662
AMOUNT \$64.63
RECEIVED BY Cook, Howard, Downes & Tracy
FOR Adv. & Posting for Case No. 81-129-X
JAN 24 1981 54534

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one time succesive weeks before the 20th day of January, 1981, the first publication appearing on the 1st day of January, 1981.

THE JEFFERSONIAN.

L. L. Leavitt

Manager

Cost of Advertisement, \$-----

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on:

Petition for Special Exception for a day camp and/or community buildings, swimming pool, or other uses devoted to a civic, social, recreational or educational activity.

of land in the Second Election District of Baltimore County

All that tract or parcel of ground situate on the South side of Lyon's Hill Road in the Second Election District of Baltimore County, Maryland.

Beginning for the same at a point on the North side of Lyon's Mill Road approximately 1300 feet from the intersection of the same with the Mill Road and extending easterly along the same crossing said North Road about 100 feet to a point on the North side of the same North Road 85° 30' 35" East and 232.50 feet to a point; thence with the two sides of the same North Road to a point (1) North 14° 30' 45" East 404.69 feet to a point; thence North 14° 30' 45" East 23.84 feet to a point on the North side of Lyon's Mill Road and extending easterly along the same crossing the same North Road to the place of beginning; Containing 0.62 acres of land more or less.

Being a part of a tract of land known as the Home Farm of John and Francis B. Turner, his wife, and the same being more fully described as recorded among the Land Records for Baltimore County in a Liber 100, folio 100.

Filed by the property of Homer E. Turner, Jr., Baltimore, Maryland.

Witness my hand and the Seal of said Office filed with the Zoning Department of Baltimore City.

Respectfully,
Hearing Date: Tuesday, January 29, 1981 at 9:45 A.M.
Attest: _____
Deputy Clerk of Court, Baltimore City
Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

WILLIAM B. PHAMOND,
Commissioner of the Department
of Baltimore County

District. 2nd Date of Posting. 1-2-81
Posted for. Special Exemption
Petitioner: Homer E. Turner et al
Location of property 315 Lyons Mill Rd 1300' W of Painter
Mill Rd
Location of Signs: Front of Property
Remarks: _____
Posted by Gay Turner Date of return: 1-2-81
Signature
1 - sign

cc: E.T.F. Inc.
112 East Main Street
Westminster, Md. 21157

Your Petition has been received and accepted for filing this 12th day of November, 1980.

Petitioner Robert E. Turner, et al.
 Petitioner's Attorney John B. Howard, Esq. Reviewed by: Nicholas B. Commolari
 Nicholas B. Commolari
 Chairman, Zoning Plans
 Advisory Committee

R.T.F. INC.
LAND SURVEYORS
142 EAST MAIN STREET
WESTMINSTER, MD. 21157
876-1222 848-2040

Tax Map 602 Parcel 27

Registered Land Surveyor No. 6034

Professional Land Surveyor
148 First Main Street
Wethersfield, Md. 21157

Revised - 4/16/82
Revised - 12/15/80
Revised - 10/7/80
Revised: 9/11/80
1/5/81

DATE July 1980

1" = 50'

JOHN J. EMB
MSR

80-88

PLAN
OF
HOMER E. TURNER PROPERTY
LYONS MILL ROAD
BALTIMORE COUNTY, MD
MICROFILMED

Ken Huff
4202 Antique Lane
Glenarm, Md.
21057

Note: See Special Exception Case # 21-129-X

Proposed McDonough Expressway
does not appear to affect this
property. (Approximately 50 to
200' South of our property line.)

NOTE: Contours taken from Baltimore County Photogrammetric map # NW.9-I.
McDonagh and Vicinity

✓ ZONING COMMISSION
DATE 4/29/82
81-129
C-457-82

DATE 4-29-87
BY James E. [Signature]
TOWN COMMISSIONER

3 PLANS APPROVED
BY OFFICE OF PLANNING & ZONING
BY *John J. [Signature]*

VICINITY MAP
Scale: 1"=1000' Top Map: 67

COUNTY
RTH

S. x E

100